

UNITED STATES DISTRICT COURT
for the
Southern District of Texas

United States of America)

v.)

JUAN CARLOS GUEVARA-MARQUEZ)
ALEYDA ARACELY GARCIA-ALVAREZ)

) Case No. 7:18 mj 1358

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 29 June 2018 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC 111 (a)(1)	Forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties.

This criminal complaint is based on these facts:

See Appendix A

Continued on the attached sheet.


7/2/18 1:52
Complainant's signature
FBI Special Agent Jordan D. Gula
Printed name and title

Approach Joseph Leonard
 Sworn to before me and signed in my presence.

Date: 07/02/2018 C 1:5 2018


Judge's signature

City and state: McAllen, Texas

Federal Magistrate Judge Juan Alanis
Printed name and title

Attachment "A"

Affidavit

I, Jordan D. Gula, being first duly sworn, state as follows:

1. I, Jordan D. Gula, am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) in McAllen, Texas, and have been so employed since January 2018. I am currently assigned to the Rio Grande Valley Violent Crime Task Force in McAllen, Texas. This affidavit is based on information provided by the United States Border Patrol, Rio Grande City, Texas.

2. As a Federal Agent, I am authorized to investigate violations of federal laws of the United States.

3. The following facts and information are known by the Affiant and were provided by United States Border Patrol Agent Agents (USBPA) A.B., Rio Grande City, Texas, and BPA A.S., Rio Grande City, Texas. Both USBPAs A.B. and A.S. provided information serving as probable cause in support of a complaint for violating Title 18, U.S.C., Section 111 (a)(1), Assaulting a Federal Officer.

4. On 29 June 2018, at approximately 8:20 a.m., in accordance with his official duties and in his rough duty uniform as a Border Patrol Agent, BPA A.S. observed several individuals run across the road to a 2010 Chrysler Sebring while traveling eastbound on Estrella Road in Roma, Texas in his marked Border Patrol vehicle.

5. BPA A.S. began to follow this vehicle which turned southbound on Ebony Road towards Bower's Gate at the Rio Grande River. BPA A.S. requested assistance from BPA A.B. who was assigned to Bower's Gate area. BPA A.B. was in a marked Border Patrol vehicle and wearing a Border Patrol rough duty uniform.

6. BPA A.B. placed his vehicle in position to intercept the Chrysler Sebring which approached his location overlooking the Rio Grande River after traveling south on Ebony Road in Roma, Texas. The Chrysler Sebring pulled up adjacent to BPA A.B.'s vehicle and six individuals got out of the car and proceeded down the riverbank towards the Rio Grande River.

7. BPA A.B. caught up to the last two individuals, a male and female, and tackled the two individuals.

8. The male got up, turned around towards BPA A.B. and attempted to grab him. The female then grabbed BPA A.B. from behind and hit him on the back. As BPA A.B. turned and attempted to remove the female from his back the male placed BPA A.B. in a head lock while BPA A.B. was standing and the male subject pulled him to the ground. BPA A.B. struck his face on a rock during the course of the fall.

9. Once BPA A.B. and the male were on the ground the male briefly was on top of BPA A.B. until BPA A.B. was able to regain a top-mounted position. The male and female were calling for assistance from the others that departed the Chrysler Sebring stating "ayudame" (help me) in the Spanish language while they were engaged in the assault against BPA A.B. as observed by BPA A.S. when he arrived on scene with BPA A.B. attempting to subdue the male on the ground while the female was on top of BPA A.B.'s back. BPA A.B. was instructing the two subjects to stop by stating "parate" (you stop) in the Spanish language.

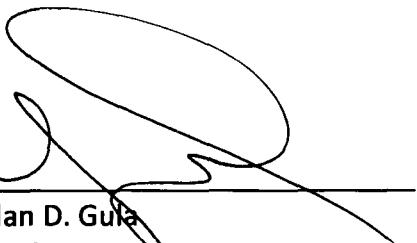
10. BPA A.S. arrived on scene and assisted BPA A.B. by taking custody of the female subject. Supervisory Border Patrol Agent J.J. arrived on scene and assisted BPA A.B. in securing the male subject.

11. BPA A.B. suffered nasal and facial lacerations, soreness and inflammation of his left hand, and abrasions to both knees during the assault.

12. The male subject encountered by BPA A.B. was identified as JUAN CARLOS GUEVARA-MARQUEZ, date of birth 10 August 1984, a citizen of EL SALVADOR.

13. The female subject encountered by BPA A.B. was identified as ALEYDA ARACELY GARCIA-ALVAREZ, date of birth 30 October 1990, a citizen of EL SALVADOR.

14. Based on the aforementioned factual information, your Affiant respectively submits that GUEVARA-MARQUEZ and GARCIA-ALVAREZ committed violations of Title 18, United States Code, Section 111 (a)(1), Assaulting a Federal Officer.



Jordan D. Gula
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me this 2nd day of July, 2018 at 1:52 p.m.



Juan Alanis
United States Magistrate Judge